

Alice Chen Smith, SBN 251654
asmith@yokasmith.com
Christine C. De Metruis, SBN 203610
cdemetruis@yokasmith.com
YOKA | SMITH, LLP
445 South Figueroa St., 38th Floor
Los Angeles, California 90071
Phone: (213) 427-2300
Fax: (213) 427-2330

Attorneys for Plaintiff, FITNESS INTERNATIONAL, LLC

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FITNESS INTERNATIONAL, LLC

Plaintiff,

-vs-

LEAH ALSPAUGH and DOES 1
through 50, inclusive,

Defendant.

Case No.: 8:22-CV-01800-DOC-DFM

**ORDER RE PRELIMINARY
INJUNCTION**

This matter was called for hearing on October 28, 2022 at 9 a.m. in Department 10A of the above-entitled court, The Honorable David O. Carter presiding. Alice Chen Smith, Esq. appeared for Plaintiff, FITNESS INTERNATIONAL, LLC. Defendant LEAH ALSPAUGH appeared *in propria persona*.

1 The Court considered Plaintiff FITNESS INTERNATIONAL, LLC's
2 ("Plaintiff") *Ex Parte* Application for a Temporary Restraining Order and Order to
3 Show Cause Why a Preliminary Injunction Should Not Issue, the accompanying
4 Memorandum of Points and Authorities and Declarations in support thereof,
5 Defendant's Opposition, and Plaintiff's further briefing submitted for the Order to Show
6 Cause Hearing on Why a Preliminary Injunction Should Not Issue, and arguments of
7 counsel and Defendant ALSPAUGH:

8 IT IS HEREBY ORDERED that, until a final determination of the merits of
9 this case by the trier of fact, defendant LEAH ALSPAUGH, and Does 1 through 50
10 (collectively, "Defendants") are hereby restrained and enjoined from the following:

- 11 1. Infringing on Plaintiff's federally registered trademarks;
- 12 2. Making representations to any person or entity, or federal or state agency,
13 that she is the owner, agent, representative of, or has any affiliation with,
14 Plaintiff or any of its brands, including LA Fitness and Pro Results;
- 15 3. Taking any action, including filing any document, with any federal or state
16 agency in any state, under the name LA Fitness, Fitness International, LLC,
17 Pro Results;
- 18 4. Contacting any of Plaintiff's employees by email, phone or in person to
19 take or recommend any employment actions (including but not limited to
20 hiring, terminating or promoting any employees, contacting the payroll
21 department concerning any employees) and terminating any member's
22 memberships; and
- 23 5. Entering, or coming within 50 feet, of any of Plaintiff's facilities
24 nationwide, including its gyms and corporate offices.

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1 IT IS SO ORDERED.

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3 DATED: November 1, 2022

A handwritten signature in dark ink, reading "David O. Carter". The signature is written in a cursive, flowing style. It is positioned above a horizontal line that serves as a separator between the signature and the printed name.

4 The Honorable David O. Carter
5 United States District Court Judge
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